

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DOUGLAS MASTRIANO,

Plaintiff,

v.

JAMES GREGORY III, *et al.*,

Defendants.

Case No. CIV-24-567-F

**AGREED MOTION FOR EXTENSION OF TIME TO RESPOND TO
COMPLAINT**

The National Research Council Canada (NRC) respectfully moves for a 30-day extension of time to move to dismiss or otherwise respond to the Complaint (ECF 1) — from November 4 to December 4, 2024, with the consent of Daniel Cox, attorney for the Plaintiff. This is NRC’s first request for an extension of time, and Plaintiff consents to this request.

In support of its motion, NRC states as follows:

1. NRC is the primary national agency of the Government of Canada dedicated to scientific and industrial research.
2. Under Section 1608(d) of Title 28, NRC’s current deadline to move to dismiss or otherwise respond to the Complaint is November 4, 2024.
3. Additional time is necessary to prepare NRC’s motion to dismiss for several reasons.

4. First, NRC's motion will require significant interagency government review within both the Department of Justice Canada and NRC.

5. Second, Plaintiff's Complaint includes nine causes of action under both federal and state law, and it presents numerous jurisdictional, procedural, and substantive issues that NRC will address in its motion.

6. Third, NRC's U.S. counsel have competing case deadlines that will limit the time available to prepare a responsive pleading and coordinate with international counsel.

7. This is NRC's first request for an extension of time.

8. Plaintiff consents to this request.

WHEREFORE, NRC respectfully moves for a 30-day extension of time to move to dismiss or otherwise respond to the Complaint—from November 4 to December 4, 2024.

Dated: October 15, 2024

Respectfully submitted,

/s/ Paul E. Swain III

Paul E. Swain III (OBA# 8785)

PAUL E. SWAIN, PLC

2727 E. 21st Street, Suite 420

Tulsa, OK 74114

Telephone: (918) 599-0100

E-mail: pswain@swainlaw.com

John B. Bellinger III*

Stephen K. Wirth*

ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, N.W.

Washington, DC 20001

Robert Reeves Anderson*

ARNOLD & PORTER KAYE SCHOLER LLP

1144 Fifteenth Street, Suite 3100

Denver, CO 80202

** Pro hac vice motions forthcoming*

*Counsel for the National Research Council
Canada*